

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
RACHEL CAROL FILSOOF,

Plaintiff,

- against -

ANDREW J. COLE,

Defendant.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

MEMORANDUM AND ORDER

21 Civ. 1791 (NRB)


"A party seeking a preliminary injunction must establish (1) irreparable harm and (2) either (a) a likelihood of success on the merits, or (b) sufficiently serious questions going to the merits of its claims to make them fair ground for litigation, plus a balance of the hardships tipping decidedly in favor of the moving party. The moving party must also show that a preliminary injunction is in the public interest." Really Good Stuff, LLC v. BAP Invs., L.C., 813 F. App'x 39, 42-43 (2d Cir. 2020) (internal quotation marks and citation omitted). Moreover, a movant seeking a mandatory injunction that alters the status quo "must meet a heightened legal standard by showing a clear or substantial likelihood of success on the merits." N. Am. Soccer League, LLC v. U.S. Soccer Fed'n, Inc., 883 F.3d 32, 37 (2d Cir. 2018).

Having reviewed the parties' submissions, we conclude that defendant has not made any of the required showings. Accordingly, defendant's preliminary injunction requests set forth in

subsections (l) and (m) of defendant's notice of motion [ECF No. 94] are denied.

SO ORDERED.

Dated: New York, New York
October 28, 2021


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE